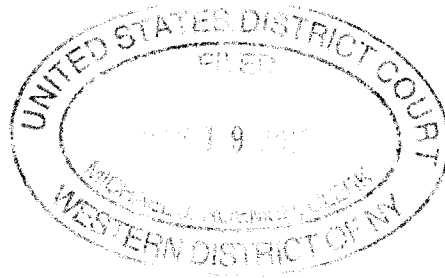


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



-PS-O-

ALEX EDWARD DIAKOIANNIS,

Plaintiff,

-v-

DECISION AND ORDER
12-CV-6192CJS

MICHAEL J. ASTRUE, Commissioner of Social
Security,

Defendant.

Plaintiff, represented by counsel, seeks permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Because the documentation plaintiff has submitted supporting his request is inadequate to permit the Court to evaluate the request, the Court directs plaintiff to submit a new application including all the necessary information, including the additional information described below. Plaintiff had not provided information from which the Court could evaluate how he supports himself. The Court notes that the application may indicate that plaintiff's mother supports the household with help from plaintiff. Plaintiff indicates that he has no income from any source. However, he neither completes the section of the form application indicating where the contribution of \$82.25 from Alex Diakogiannis comes from, nor does he explain the relationship of Joyce Diakogiannis to the applicant. If plaintiff shares a household with his mother and/or other people, then he must complete the sections of the application indicating the income, resources and expenses of the members of the household.

Plaintiff's attorney, Jaya Ann Shurtliff, Esq., represents under Rule 11 of the Federal Rules of Civil Procedure that by presenting to the Court a pleading, written motion, or other paper, she

certifies to the Court that to the best of her knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the factual contentions have evidentiary support and the denials of factual contentions are warranted.

The Clerk of the Court is directed to send plaintiff a new form application to proceed as a poor person.

Ms. Shurtliff is hereby directed to oversee the completion of this Court's form application for poor person status, attached to this Order, and submit the completed application by **May 22, 2012**. The application must be fully and accurately completed, indicating the value of all sources of support the plaintiff receives, whether by cash or in kind, as well as his expenses. If plaintiff shares a household, he must indicate the income, resources and expenses or those with whom he shares the household.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

DATED: April 18, 2012
Rochester, New York